IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 33628 of 1998

Between:

K.Nageshwar Rao, S/o kisnaiah, R/o Kanumarlapudi Village & Post.,

Savalyampuram Mandal, Guntur District.

... PETITIONER

AND

1 Director of School Education, Govt. of AP, Hyderabad
2 District Educational Officer, Guntur District
3 Mandal Praja Parishad Development Officer, Shavalyapuram.
4 The Chairman of Vidya Committee, Kanumarlapudi
5 The Convenor for Vidya Committee, H.M. M.P.Elementary School, Kanamarlapuri, Savalayapuram Mandal, Guntur District.
6 P.Govardhan, W/o Srinivas Rao, R/o Kanurmalapudi, Savalyapuram

Mandal, Guntur District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or Direction, declaring the action of the Res.No.3 to 5 in not selecting the petitioner and selecting the 6th Res. in terms of guidelines stated in Rc.No.128/95 M.P. dt.25-11-98 issued by the 3rd respondent as illegal and arbitrary and also violative of principles of natural justice and violative of Art.14, 16 and 21 of the Constitution of India and consequently direct the res.No.1 to 5 to consider the petitioner's case as he possessed higher qualification by setting aside the selection of the 6th respondent, made by the respondent, and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.P.RATTAIAH

Counsel for the Respondents 1 to 5: GP FOR SCHOOL EDUCATION

MR.D.SRINIVAS

Counsel for the Respondent No.6: MR.M.SUBBA REDDY

The Court made the following order:

ORDER:

Learned counsel appearing for the respective parties submit that the subject matter of the writ petition has become infructuous and there survives no cause to be adjudicated.

Recording the above submission the writ petition is accordingly dismissed as having become infructuous. No costs.

V. ESWARAIAH, J

November 5, 2004

Dsk

To

1 The Director of School Education, Govt. of AP, Hyderabad
2 The District Educational Officer, Guntur District
3 The Mandal Praja Parishad Development Officer, Shavalyapuram.

4 Two CCs to GP For School Education, High Court Buildings, Hyderabad

(OUT)

5 Two CD Copies.